CLASSIFICATION OFFICE DECISION

Title of publication:	20200212_231617
Other known title(s):	Not stated
OFLC ref:	2000261.014
Medium:	Image File
Maker:	Not stated
Country of origin:	Aotearoa New Zealand
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	22 October 2020
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	22 October 2020

Summary of reasons for decision:

This image file explicitly depicts a male and female engaged in a sexual act. The Classification Office has considered whether the publication promotes or supports, or tends to promote or support the exploitation of young persons for sexual purposes, and concludes that it does not. In the absence of any contextual information in the image itself that would indicate the age of the female subject, it present as a record of a young woman engaging in a sexual act. Nevertheless, the unrestricted availability of the image is still likely to be injurious to the public good as it explicitly depicts sexual activity. There is a common social consensus across many countries that material such as this should be limited to adults because of the potential for harm to developing sexual attitudes and behaviours of young people from premature exposure to such material. The availability of this publication is therefore restricted to those aged 18 and over. This classification limits the right to freedom of expression as laid out in the New Zealand Bill of Rights Act 1990, but is the lowest reasonable limitation that can be placed on that right in order to prevent injury to the public good.